

**THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
ASHEVILLE DIVISION  
CRIMINAL CASE NO. 1:20-cr-00090-MR-WCM**

**UNITED STATES OF AMERICA,**

**Plaintiff,**

**vs.**

**SIVA K. DURBESULA,**

**Defendant.**

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**ORDER**

**THIS MATTER** is before the Court on the Defendant's Motion to Suppress-Miranda Violation [Doc. 18].

On November 6, 2020, less than three days before the trial of this matter, the Defendant filed his Motion to Suppress. [Doc. 18]. The deadline for the filing of such pretrial motions, however, was October 21, 2020. [See Scheduling Order entered September 21, 2020]. As such, this motion appears to be untimely. On the face of the Defendant's motion, the Defendant acknowledges that the subject matter at issue does not appear to be pertinent to the Government's case-in-chief.<sup>1</sup> [Doc. 18 at n.1].


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<sup>1</sup> The Court notes, however, that this issue may need to be revisited if the Government goes forward with seeking to present evidence related to the subject matter at issue in the Defendant's motion.

**IT IS THEREFORE, ORDERED** that the Defendant's Motion to Suppress-Miranda Violation [Doc. 18] is **DENIED**.

**IT IS SO ORDERED.**

Signed: November 8, 2020

  
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Martin Reidinger  
Chief United States District Judge

